

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR MANUEL DIAZ-LUCAS,

Defendant.

Case. No. 12-CR-30242-DRH

**ORDER FOR FORFEITURE PURSUANT TO
FED.R.CRIM.P 32.2 WITH RESPECT TO VICTOR MANUEL DIAZ-LUCAS**

In the Indictment filed in the above cause on August 22, 2012, the United States sought forfeiture of property of defendant, Victor Manuel Diaz-Lucas, pursuant to 21 U.S.C. § 853. The Court, upon consideration of the guilty plea received in this matter and the provisions of the plea agreement, hereby finds by a preponderance of evidence that the following property is forfeitable and hereby orders forfeited the following property:

One million five-hundred thousand dollars (\$1,500,000.00) in United States funds.

A forfeiture judgment is entered in favor of the United States and against defendant Victor Manuel Diaz-Lucas in the amount of \$1,500,000.00. This judgment may be enforced as an ordinary monetary judgment, by the forfeiture of substitute assets, or by a combination of both, as long as double recovery is not obtained by the government. In that the amount of this judgment consists of funds represented by

cocaine attributable to this defendant and not from all of the cocaine distributed in the entire conspiracy, the forfeiture proceeds collected from other co-defendants towards their own forfeiture judgments shall not constitute a credit in favor of Victor Manuel Diaz-Lucas towards his judgment. However, if and when a final order is entered forfeiting the \$35,738.00 seized on June 20, 2012 to the United States and finding that no other entity has any right, title, or interest in the \$35,738.00, the defendant shall receive a credit for that amount against his \$1,500,000.00 monetary judgment.

In that the forfeiture consists of a money judgment, it is not necessary for the United States to publish or provide notice or for the Court to conduct an ancillary hearing.

This judgment shall become final against the defendant as of the time of his sentencing.

IT IS SO ORDERED.

Signed this 28th day of August, 2013.

David R. Herndon



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David R. Herndon
Date: 2013.08.28
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**Chief Judge
United States District Court**